ATTACHMENT A
Remarks

Claims 60-115 are pending in the present application. By this Amendment, Applicant has amended claims 60, 61, 63, 66, 67, 70, 79, 81, 89-91, 96, 98 and 99. Applicants respectfully submit that the present application is in condition for allowance based on the discussion which follows.

In the outstanding Office Action, claim 63 was rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for referring to itself. By this Amendment, Applicant has amended claim 63 to correct its dependency to depend from claim 62, thereby obviating the rejection.

Claims 60-102, 109, 110, 114 and 115 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,497,360 (hereinafter "Schulze"), and claims 103-108 and 111-113 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schulze in view of U.S. Patent Application Publication No. 2002/0097436 (hereinafter "Yokoyama").

In order to more clearly recite Applicant's invention, by this Amendment, Applicant has amended independent claims 60, 79, 81, 90, 91, 96, 98 and 99 to further clarify distinctions between the present invention and that of the prior art. As amended, the present invention is distinguishable over the prior art point of sale devices with regard to device specific electronic data and a data stream which is intercepted without any adjustment of the point of sale operating software. For example, with regard to claim 60 (currently amended), the point of sale terminal or the point of sale computer's present interface is capable of intercepting data transmitted between a point of sale terminal and at least one peripheral device to adjust and/or compile at least one part of

the data. The adjusted and/or compiled data is transmitted to at least one peripheral device via the interface.

Applicant respectfully submits that the claim limitations, as recited in the pending independent claims, further distinguish the present invention from the cited art. A more comprehensive discussion with regard to the distinctions between the present invention and the prior art follows.

Claims 60-102, 109, 110, 114 and 115 are not anticipated by Schulze.

Schulze (U.S. Patent No. 6,497,360)

Applicant respectfully submits that it will be clear that the system in Schulze does not perform peripheral data interception, as claimed.

Schulze is directed to a coupon reimbursement redemption system. Schulze discloses a method for handling coupons which includes redeeming, at a first location, a plurality of input coupons, including at least first and second input coupons during a first time interval using a main computer system including a first coupon input device. A plurality of verifying coupons are transported to a second location to an auxiliary computer system including an auxiliary coupon input device. The coupons are verified as being the same as the input coupons when the redeeming step is properly conducted. Essentially, Schulze is directed to matching and redeeming coupons.

Further, Schulze's verifying coupon information is input to the auxiliary coupon input device to determine whether a match exists between the verifying coupon information and a number of products identified when the plurality of input coupons are

redeemed and generating non-match information related to at least one non-match between the input coupon information and the verifying coupon information; and reimbursing for at least some of the plurality of input coupons.

Schulze is concerned with redemption and not with the periodic and controlled manipulation of data as a data stream travels from a point of sale terminal on its way to a peripheral device.

Moreover, the Schulze system is directed to a coupon redemption system which duplicates many of the parts present in a point of sale ("POS") system. Two important features of the Schulze system architecture are relevant. The following passage describes how the Schulze system is arranged.

> FIG. 2 represents a point of sale subsystem **112** useable with the coupon redemption subsystem **104** of the present invention. In general, the point of sale subsystem **112** includes a server **200** having associated storage **204**, memory **208** and a processor **212**. In addition, the server **200** may include communications **216** and peripheral **220** interfaces as required by the particular communications channel **108** and peripheral devices interconnected to the server **200**. In a typical point of sale subsystem **112**, the server **200** includes an Intel Pentium™ class processor **212** with a suitable hard disk and/or tape drive as the storage **204** and 64 Mb of solid state memory **208**.
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> Figure 2 describes a typical POS setup, albeit connected to a 'coupon redemption system' via a communications channel (108). Figure 3 describes the Coupon Redemption System and in that there is a 'communications channel' (108) that connects to the POS system (112) of Figure 2. Note that the 'Input/Output Devices' of the Coupon Redemption System in Figure 3 (328) are not the same devices the POS system uses (228) in Figure 2.
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> The communication channel (108) is the mechanism by which the Coupon Redemption System exchanges data with the POS system. The detailed description provides more background on this connection....
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> In general, at least one of the communications interfaces **316** cooperates with the communications channel **108** and at least one of the communications interfaces **216** of the point of sale subsystem **112** to pass

> information between the coupon redemption subsystem **104** and the point of sale subsystem **112**. As noted above, the communications channel **108** may comprise a variety of channel types. In particular, where the communications channel **108** comprises a conventional local or wide area network, the communications interfaces **216** and **316** may comprise appropriate network interface cards. Where the channel **108** comprises a hard wired serial (e.g., RS 232 or USB) or parallel (e.g., SPP or EPP) interconnection, the communications interfaces **216** and **316** may comprise the ports conventionally provided on the CPU **300** or server **200**. The communications network **108** may also comprise the public switched telephone network (PSTN), in which case the communications interfaces **216** and **316** may comprise modems. Where the communications channel **108** comprises the Internet, the communications interfaces **216** and **316** may comprise whatever interface is required by the coupon redemption subsystem **104** or the point-of-sale subsystem **112** to establish a connection to the Internet. It should be appreciated that any combination of communications channel **108** types may be utilized, and that the communications interface **216** of the point-of-sale system **112** need not be the same as the communications interface **316** of the coupon redemption subsystem **104**.

Based on the foregoing, Schulze discloses a kind of purposefully designed communication link in which the Coupon Redemption System and POS system 'cooperate' to pass information between themselves. This seems to be the extent of the definition of this link. It can be inferred from the requirement to process UPC codes that the transaction data must include UPC (barcode) information on the items, information that printed receipts almost universally lack. Hence the need for a fully featured transaction data stream to be provided for this approach to function. This means that for many POS systems there would need to be modifications made to the POS in order to facilitate a suitable interface. From this, one of ordinary skill in the art concludes that the only connection between the POS and the Coupon Redemption System is a custom affair not normally found in a typical POS system.

The present invention is not anticipated in any way by Schulze. Schulze has a different objective from that now claimed in the application, i.e. redemption rather than interception and manipulation.

The present claims include the broadest claims limited to an interface capable of interrupting data transmitted between a point of sale terminal and at least one peripheral device to adjust and/or compile at least a part of the data so that the adjusted and/or compiled data is transmitted to at least one peripheral device via the interface.

The present invention provides enhanced promotional capabilities in a POS system in which data is intercepted and manipulated. The POS system to which the arrangement of the invention is interfaced need not know of the changed interface and data content presented to customers. The interface unit (slave) claimed is largely autonomous and intelligent in operation.

Furthermore, it must be emphasized that the system according to the present invention requires no POS modification and does not introduce extra peripherals into the system. All data is determined by examining existing peripheral data streams. Contrary to the Examiner's assertion, the Schulze system certainly does not manipulate or adjust data, between the POS system and its peripherals. To the contrary, in fact, the Schulze patent even describes the necessary data collection as a 'passive tap.' The Schulze system is completely different in implementation to the present system in its architecture, peripheral management and interface operation; where Schulze introduces new peripherals, the present invention intercepts data to existing peripherals.

Based on the foregoing, Applicant respectfully submits that claims 60-102, 109, 110, 114 and 115 are not anticipated by Schulze.

Claims 103-108 and 111-113 are not obvious from Schulze in view of Yokoyama.

Applicant respectfully submits that claims 103-108 and 111-113 are not obvious from Schulze in view of Yokoyama. As discussed above, Schulze fails to anticipate the present system. Yokoyama fails to make up the deficiencies of Schulze with regard to claims 103-108 and 111-113.

Yokoyama et al. (U.S. Patent Application Publication No. 2002/0097436)

This patent is titled *"Logo Data Generating Method, Data Storage Medium Recording The Logo Data Generating Method, A Computer Program Product Containing Commands Executing The Steps Of The Logo Data Generating Logo Data Generating Method, And A Logo Data Generating System,"* so the patent involves generation of logo data.

The Examiner alleges that Yokoyama teaches production of receipts containing promotional material based on products purchased. The Examiner cites paragraphs 14 and 16 as supporting this. However, in fact, all that this patent says on this is that an application of images on a receipt could be to do product promotions and it does not teach that such promotions could or should be dependent on products purchased. All it is suggesting is that color advertisements are effective (and high quality logos are good too).

The subject matter of Yokoyama teaches the processing of graphic image data into a form that will print well on a given printer. For example, printing a full color image on a printer with a very limited color palette may produce a bad result that can be

mitigated with careful color reduction techniques. It is difficult to find anything in this patent (which concerns image processing) at all relevant to the present invention (which is about a data interception and delivery mechanism).

In any case, the fact that products purchased are a strong indicator of other buying behavior is not a new concept and certainly not something to which the present application is directed. What is being claimed is a method and system that can, along with many other uses, be used to produce product specific promotions. Once again, one of the points of novelty of the present invention is that the present invention provides for producing product specific promotions without modification of existing POS systems.

Based on the foregoing, Applicant respectfully submits that claims 103-108 and 111-113 are not obvious from Schulze in view of Yokoyama.

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance.

END REMARKS